IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.2813 OF 2004

Bank of India Plaintiff

versus

Anilkumar Jivanlal Pujara Defendant

B.B.Parekh for plaintiff.

None for defendant.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 11th August 2005

PC :

1. Learned advocate appearing for plaintiff tender affidavit of service of writ of summons. The same is taken on record and marked "X" for identification. Original documents along with list marked "X-1" for identification.

2. On a credit card facility, the bank has filed the present suit to recover the amount which has been duly paid to third parties on the facility extended to the defendant. There is no appearance filed despite service of writ of summons. Suit is based on credit card facility

and it is well settled that a summary suit can be filed for claiming amounts under such facility. There is no defence to the claim. The claim is within limitation. There is no appearance filed on record. Hence, there shall be a decree as prayed. Refund of court fees and computation of advocates cost as per rules.

(S.C.DHARMADHIKARI, J.)